

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/616,733	07/10/2003	Raj K. Mangla	47097-00958USPR

30223
 JENKENS & GILCHRIST, P.C.
 225 WEST WASHINGTON
 SUITE 2600
 CHICAGO, IL 60606

CONFIRMATION NO. 9491

FORMALITIES LETTER



OC000000010944795

Date Mailed: 09/29/2003

NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

Filing Date Granted

An application number and filing date have been accorded to this reissue application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Michael R. Hayden

Customer Service Center
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/09/2004 CCHU1 00000101 10616733 130.00 DP
 01 FC:1051



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:
Raj K. Mangla et al.

Serial No.: 10/616,733

Filed: July 10, 2003

For: VENTED CONTAINER WITH HANDLES
AND EMBOSSEMENT

Confirmation No. 9491

Group Art Unit: 1741

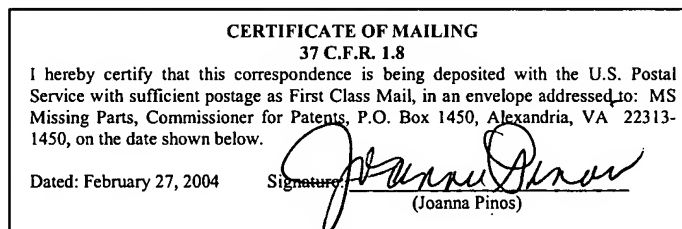
Examiner: N. Hayden

Atty. Docket No.: 47097-00958USPR

February 27, 2004

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313

Dear Commissioner:



Transmitted for filing with the Patent and Trademark Office are the following documents for the above-referenced patent application:

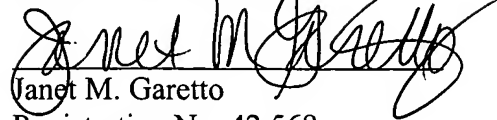
1. Response to Notice to File Missing Parts and Petition for Inventors to Make Application on Behalf of Omitted Inventor Under 37 C.F.R. §1.47 (in duplicate);
2. Copy of Notice to File Missing Parts of Reissue Application;
3. Reissue Application Declaration (executed);
4. Petition for Three-Month Extension of Time;
5. Declaration Of Janice L. Lindemann In Support Of Petition Of An Unavailable Inventor;
6. Declaration Of Thomas J. Hayes In Support Of Petition Of An Unavailable Inventor;
7. Check No. 150335 in the amount of \$130.00 for declaration surcharge;
8. Check No. 154839 in the amount of \$130.00 for petition fee;
9. Check No. 154838 in the amount of \$950.00 for Three-Month Extension of Time; and
10. Acknowledgment Postcard.

In the event there is an under or over payment, please debit or credit our Deposit Account #10-0447 (47097-00958USPR).

Serial No. 10/616,733

Date: February 26, 2004

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Janet M. Garetto", written over a horizontal line.

Janet M. Garetto

Registration No. 42,568

Attorney for Applicants

Jenkins & Gilchrist, P.C.

225 W. Washington Street - Suite 2600

Chicago, IL 60606

(312) 425-8514



Docket No.: 47097-00958USPR.001
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:
Raj K. Mangla, et al.

Confirmation No.: 9491

Art Unit: 1741

Serial No.: 10/616,733

Examiner: N. Hayden

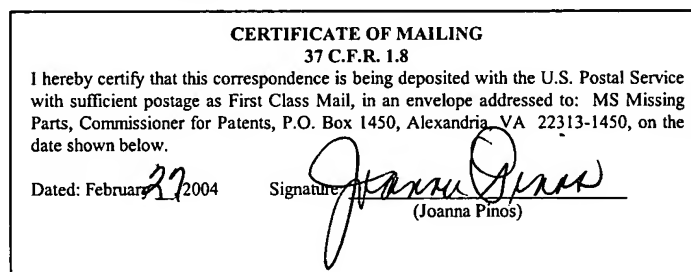
Filed: July 10, 2003

For: VENTED CONTAINER WITH HANDLES
AND EMBOSSEMENT

**RESPONSE TO NOTICE TO FILE MISSING PARTS AND PETITION FOR
INVENTORS TO MAKE APPLICATION ON BEHALF OF OMITTED INVENTOR
UNDER 37 C.F.R. § 1.47**

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:



In response to the Notice to File Missing Parts of Reissue Application dated September 29, 2003, enclosed is a copy of the Notice, a Reissue Application Declaration signed by five (5) of the six (6) inventors in the application, copies of two Declarations and accompanying attachments regarding the attempted communications to the last known addresses of the 6th inventor, J. Scott Dellinger, a petition for an extension of time, and checks for the surcharge, the extension of time and the petition fees.

One of the joint inventors, J. Scott Dellinger, could not be found or reached after diligent effort. Therefore, the present application will only be made by the other joint inventors, Raj K.

03/09/2004 CCHAU1 00000101 10616733

02 FC:1460

130.00 0P

Mangla, Mark A. Erickson, Thomas J. Hayes, Suzanne R. Maslach, and Mark E. Spencer, on behalf of themselves and the omitted inventor. Accordingly, this is a petition for filing for the above-referenced U.S. patent application when one of the inventors is not available. In accordance with 37 C.F.R. § 1.47 and MPEP § 409.03(d), this petition is accompanied by two Declarations that fully describe the exact facts which are relied on to establish that a diligent effort has been made to contact Mr. Dellinger but that he cannot be reached to sign or is unwilling to sign the declaration filed herewith. The Declarations are signed by Thomas J. Hayes and Janice L. Lindemann, who have firsthand knowledge of the facts recited therein. In view the attempts by Applicants to obtain the signature of inventor J. Scott Dellinger, Applicants hereby petition the Commissioner under 37 C.F.R. §1.47(a) to allow the joint inventors to make application for a patent in his absence.

The last known unofficial address (mother's address) of the omitted inventor is stated in the accompanying Declarations of Mr. Hayes and Ms. Lindemann as 1098 Blue Mill Road, Del Rio, TN 37727. The last known official address (inventor's address) of the omitted inventor is stated in the original reissue declaration and the accompanying Declarations of Mr. Hayes and Ms. Lindemann as 1118 Johnson Drive, Apt. 3433, Buffalo Grove, IL 60089.

Enclosed is a check in the amount of \$130.00 to cover the petition fee set forth in 37 C.F.R. § 1.17(h). Also enclosed is a check in the amount of \$130.00 to cover the surcharge fee set forth in the enclosed Notice to File Missing Parts of Reissue Application. The Commissioner is hereby authorized to charge any additional fees (except for the issue fee) which may be required, or credit any overpayment, to Deposit Account No. 10-0447 (47097-00958USPR). A duplicate copy of this communication is enclosed for that purpose.

Serial No. 10/616,733

Dated: February 26, 2004

Respectfully submitted,

By 

Janet M. Garetto

Registration No.: 42,568

JENKENS & GILCHRIST, A PROFESSIONAL
CORPORATION

225 W. Washington, Ste. 2600

Chicago, Illinois 60606-3418

(312) 425-3900

(312) 425-3909 (Fax)